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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 MICHAEL PATTERSON,

10 Petitioner,

11 vs.

12 JO GENTRY, et al.,

13 Respondents.  
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Case No. 2:17-cv-02131-JCM-GWF

**ORDER**

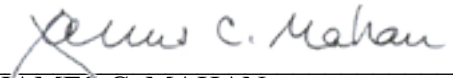
15 Before the court are two motions by petitioner. First, petitioner has filed a motion for leave  
16 to file a first amended petition (ECF No. 7). Respondents do not oppose this motion (ECF No. 11).  
17 The motion largely is moot because the court gave petitioner leave to file a first amended petition  
18 when the court appointed counsel to represent petitioner (ECF No. 5). Nonetheless, the court will  
19 grant the motion so that the first amended petition will be in the docket as such.

20 Second, petitioner has filed a motion requesting scheduling order permitting Patterson to file  
21 a second amended petition (ECF No. 8). Respondents do oppose this motion (ECF No. 12), and  
22 petitioner has filed a reply (ECF No. 13). The court notes respondents' objections, but to the extent  
23 that a second amended petition might contain grounds subject to procedural defenses, respondents  
24 may raise them in the appropriate motion. This action is at an early stage, respondents have not yet  
25 spent much time on the action, and the court sees no prejudice to respondents by granting  
26 petitioner's request.  
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1 IT IS THEREFORE ORDERED that petitioner's motion for leave to file a first amended  
2 petition (ECF No. 7) is **GRANTED**. The clerk of the court shall file the first amended petition,  
3 which currently is at ECF No. 7-1.

4 IT IS FURTHER ORDERED that petitioner's motion requesting scheduling order permitting  
5 Patterson to file a second amended petition (ECF No. 8) is **GRANTED**. Petitioner will have ninety  
6 (90) days from the date of entry of this order to file and serve a second amended petition.

7 DATED: December 14, 2017.

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10 JAMES C. MAHAN  
11 United States District Judge  
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